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## Reagan to broaden U.S. spying

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The Reagan administration is moving ahead with plans to increase domestic spying.

A new draft of a proposed presidential executive order on U.S. intelligence activities was revealed by the New York Times May 21. Like a draft which surfaced publicly in March, the new proposal would hand the FBI broad power to infiltrate, harass and spy.

Civil liberties groups charge these activities could be directed against law-abiding protest groups and individuals. "Journalists, lobbyists, members of political organizations and others engaged in open, lawful political activity could be marked as targets," states a publication of the Washington-based coalition the Campaign for Political Rights.

The original draft of the presidential order raised the possibility that in addition to the FBI, the CIA might be granted wideranging license for surveillance of U.S. citizens. In the face of strong criticisms, CIA and White House officials then stated that the March order was simply a working proposal and that the CIA would not be "unleashed" in this country.

The latest draft eliminates proposals for CIA domestic spying. Indeed, the Center for Constitutional Rights (CCR) argues that the CIA proposal was a smokescreen to distract opposition, with the real purpose being to unleash the FBI. A CCR pamphlet notes the apparent success of the Reagan strategy: "The administration could concede the CIA domestic spying issue—the issue where people's attention was focused—while quietly giving increased surveillance authority to the FBI."

The new rules would replace former President Jimmy Carter's 1978 Executive Order 12036 which set standards for the activities of federal intelligence agencies in the U.S. The Carter order, which remains in effect until replaced by Reagan, defines individuals and groups that can be spied on and requires case-by-case approval by the attorney general when spying techniques are used.

### 'BLACK BAG JOBS'

These restrictions were imposed only after revelation of programs like the FBI's Cointelpro and the CIA's Operation Chaos, broad political attacks during the late 1960s and early 1970s in which the agencies burglarized, infiltrated, spied on and defamed dissidents whose only crimes were opposing racism or the war in Southeast Asia.

Civil liberties activists describe the Carter restrictions as weak and limited, but the Reagan administration has nevertheless targeted them for elimination.

The new Reagan order uses positive language that would specifically authorize rather than restrict intrusive spying methods. These include: wiretapping; physical search without warrants, including secret break-ins known as "black bag jobs"; infiltration of organizations by secret agents and provocateurs, who are authorized to use techniques "affecting the activities" of groups; physical surveillance, and obtaining confidential records such as bank statements.

The new draft reportedly would allow these against a "person who has acted or may be acting on behalf of a foreign power, has engaged or may be engaging in international terrorist or narcotics activities," or "has endangered" or "may be endangering the safety of any person" protected by the Secret Service or State Department.

This standard would replace the "is reasonably believed to be acting on behalf of a foreign power" language of the Carter order, which legal experts say requires the FBI to have evidence in hand, connecting targets of investigation with foreign powers. The key change is a lower burden of proof required before using spying techniques under the Reagan draft. Civil liberties activists contend it would authorize investigators to use these techniques based only on their suspicion that an individual "may" be a foreign agent.

The new Reagan draft also expands the authority of intelligence agencies to investigate leaks of classified information. S.Z.